

It is respectfully contended that the restriction requirement is improper because the Examiner has not shown that a search and examination of the entire application would cause any serious burden, as required by Section 803 of the MPEP. In fact, a serious burden would arise only if the application were restricted to one of the identified inventions. Filing two additional applications to the non-elected inventions would necessarily burden the Patent and Trademark Office, since it must assume the additional and unnecessary labor involved in examining separate applications, (2) the public, since it will have to examine three applications to fully ascertain the claimed subject matter, and (3) Applicants, since they will have to bear the financial burden of multiple applications.

Respectfully submitted,



Mark Joy, Reg. No. 35,562
One of the Attorneys for Applicant(s)
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: March 13, 2001

In re Timothy Charles Sowell
U.S. Serial No. 09/418,943



CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO OFFICE ACTION AND RESTRICTION REQUIREMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date: March 13, 2001

James J. Oakes

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